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COMMISSION ON HUMAN RIGHTS
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Item 12 (a) of the provisional agenda

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION; ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS; NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

International co-operation in solving international problems of a social, cultural or humanitarian character, and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms

Report of the Secretary-General

1. By its resolution 1989/49, the Commission on Human Rights invited all States and international organizations to submit to the Secretary-General their comments and views on ways and means of strengthening international co-operation in solving international problems of a social, cultural or humanitarian character, and in promoting and encouraging univeral respect for, and observance of, human rights and fundamental freedoms, for consideration at its forty-sixth session.

2. The present document contains comments submitted by the Ukrainian Soviet Socialist Republic. Further communications will be reproduced in addenda.

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UKRAINIAN SOVIET SOCIALIST REPUBLIC

[24 January 1990]
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1. An important feature of contemporary social development is that the individual and his rights occupy a central position in the State's domestic as well as foreign policy. As a result, increasing importance is being attached to the promotion and protection of human rights in international affairs. International co-operation in the field of human rights is of particular importance in view of the fact that the founders of the United Nations rightly considered human rights as a key factor in the maintenance of international peace and security as well as in the stable economic, social, cultural and humanitarian development of all peoples and States. In the scale of general human values human rights are by far the most important. All other social values, including such important ones as peace and protection of the environment, constitute an essential condition for the universal observance, respect for and implementation of human rights and fundamental freedoms for all, regardless of race, sex, language and religion. The positive trend that has emerged in intergovernmental relations reflects a rejection of ideological confrontation and conflictual double-standard methods and practices, and reveals that a search is under way for ways of strengthening international peace, protecting the environment, solving economic and social problems and creating a climate of mutual trust and good will throughout the world This has the practical effect of opening up greater possibilities than hitherto for the development of effective international co-operation in the field of human rights. In the circumstances, therefore, it would be appropriate to consider the question of giving the Commission on Human Rights the status of a principal organ of the United Nations with a view to raising such co-operation to a level corresponding to the importance of the human rights problem in present conditions and the new constructive approach adopted by States to the its solution.

2. Independently of the solution of the problem of the status of the Commission on Human Rights, steps should be taken, with the assistance of appropriate United Nations bodies, to define more clearly the essential features and content of the universal concept of human rights in the light of contemporary international social development trends so as to provide a reliable political and legal basis for the development of stable international co-operation in this area.

The efforts made by members of the international community have so far resulted in the creation of a relatively broad and sound body of international human rights standards constituting a new and important branch of international law, namely, international humanitarian law. These standards are not immutable. They are constantly being improved upon in the course of international co-operation by Governments which take account of changes that are brought about by social development and influence the life of the individual. As a result, two general trends in international co-operation in the field of human rights have emerged, namely, 1. Co-operation to ensure the comprehensive and complete realization of existing international standards, and 2. Co-operation in promoting the development of new international standards. In the opinion of the Ukrainian SSR, steps should be taken to encourage both these trends simultaneously, since each one is unique and has its own specific functional objectives. This task implies co-operation on a regular basis by Governments and appropriate international bodies and

organizations, as well as by special rapporteurs and special missions appointed by the Commission on Human Rights in the light of what is required by the basic principles of contemporary international law.

3. The Ukrainian SSR considers that all Governments participating in international efforts to apply existing international human rights standards should make joint efforts to ensure their strict observance and universality. The most effective forms of direct international co-operation in the field of human rights at the present time - in addition to the usual talks and consultations - might include invitations to delegations, on a voluntary and reciprocal basis, to attend parliamentary human rights hearings or to observe election campaigns; the holding of bilateral, regional and international seminars and symposiums to exchange experience with the implementation of international standards on a national basis; systematic exchanges of information concerning national human rights standards, organization of the teaching of human rights and the activities of national non-governmental organizations; and the promotion of contacts between national non-governmental organizations.

4. Special importance should be attached to international co-operation with the participation of bodies established pursuant to agreements, and specifically treaty monitoring bodies such as the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women, the Committee against Torture, the Committee against Apartheid in Sports and Group of Three. In order to improve the functional efficiency of these monitoring bodies steps should be taken to expand their analytical responsibilities so as to enable them to determine (a) why some States failed to accede to certain international human rights conventions; (b) why certain Governments entered reservations to international human rights conventions to which they are parties; and (c) why certain national human rights standards deviate from international standards. The United Nations Secretariat could, on the basis of the conclusions reached by these bodies, prepare consolidated analytical reports at regular intervals on the human rights situation in the world.

5. The second important trend in international co-operation in human rights matters reflects, in the opinion of the Ukrainian SSR, the joint efforts being made by States, international bodies and special rapporteurs to develop new international human rights standards. The complex and rapidly changing circumstances of daily life are making it necessary to develop new standards of this nature that would help to protect the individual from the dangers inherent in the development of contemporary civilization. It would seem that, with a view to providing this protection, priority should undoubtedly be accorded to the task of ensuring normal conditions of life in the context of a growing ecological crisis. To this end, steps should have been taken long ago to draw up a new generation of rights, namely, ecological human rights, which, in an initial approximation could include: 1. the right to ecologically clean foodstuffs; 2. the right to ecologically harmless consumer goods; 3. the right to engage in productive activities in ecologically harmless conditions; 4. the right to live in ecologically clean natural surroundings; 5. the right to obtain and disseminate reliable information on the quality of foodstuffs, consumer goods, working conditions and on the state of the environment; 6. the right to participate in the solution of problems connected with the siting of industrial enterprises and the use of technology that might place the lives

and health of people at risk; and 7. the right to compensation for the impairment of health due to the pollution of the environment and to other harmful influences acting on the environment or the irrational use of natural resources.

Such protection is needed at the present time not only by the individual but also throughout the world by nature itself of which he forms a part and without which he would be unable to live. In the context of the gathering global ecological catastrophe the entire body of international human rights standards would become an irrelevant legal abstraction since the danger will threaten not only the life and health of the individual but also the very existence of peoples on earth and consequently of mankind as a whole. The embodiment of ecological human rights in international standards would promote the solution of ecological problems and thereby pave the way for the creation of a new ecological order in the world and for the ecological protection of mankind.

6. Certain social groups are calling for attention to an increasing extent in contemporary society and, because of their specificity require special social and legal protection. For this reason, international co-operation is required as a matter of urgency to develop international rights standards for the most vulnerable social groups and in particular the disabled, the mentally ill, persons in prison, foreign workers, immigrants, the elderly living alone, pregnant women and nursing mothers, the unemployed, the homeless and small groups of indigenous peoples. The existence of international human rights standards of this kind could prove to be an important method of ensuring social stability and social justice in society as well as an important factor in the humanization of social relations. An important role in drawing up these new international human rights standards might well be played by special rapporteurs appointed by the Commission on Human Rights to investigate and establish the facts.

7. In order to increase the effectiveness of the Commission on Human Rights and other United Nations bodies in their efforts to organize international co-operation in the field of human rights, all Governments and international bodies should take co-ordinated steps to reduce the number of repetitive and virtually identical resolutions that are adopted year after year. Members of the international community should concentrate their efforts on the solution of conceptual problems of international co-operation in the field of human rights, on the improvement of machinery for the implementation of existing norms of international humanitarian law, and on the development of new international human rights standards.